IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 841 (S/S) of 2007

Jagdish Singh Butola S/o Shri Dileep Singh
Head Master, Primary School, Karanprayag-II
District- Chamoli ------ Petitioner

Versus

1. District Basic Education Officer Chamoli
2. District Education Officer, Chamoli
3. Director of Basic Education, Dehradun
4. State of Uttarakhand through its Education Secretary, Dehradun

------ Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri M.S. Chauhan, learned counsel for the petitioner and Sri Paresh Tripathi, learned Standing Counsel State of Uttarakhand for the respondents.

By means of this writ petitioner, the petitioner has prayed for the following reliefs:

1. Issue a writ, order or direction in the nature of certiorari to quash the order dated 04.02.2004 passed by the respondent in contravention of the inquiry report as well as natural justice.
2. Issue a writ, order or direction in the nature of mandamus commanding the respondents to pay the arrears of salary to petitioner with effect from 04.05.02 to 04.02.04 with 12% interest.
3. Issue any other order or direction, which this Hon'ble High Court may deem fit and proper in the facts and circumstances of the case.
4. Award cost of the petition to the petitioner.

The stand of the petitioner is that he was suspended for certain charges vide order dated 04.05.2002 and an Inquiry Officer was appointed to hold inquiry for the charges levelled against the petitioner. After submitting the inquiry report by the inquiry Officer, the Disciplinary Authority has passed order for minor punishment against which the petitioner has preferred an appeal on 30.08.2005 before respondent no. 2, District Education Officer, Chamoli, which is still pending before him.

During the course of argument, learned counsel for the petitioner has submitted that the respondent no. 2, District Education Officer, Chamoli may be directed to take decision on the appeal preferred by the petitioner on 30.08.2005, Annexure 5 to the writ petition within a particular period prescribed by the Court.

The prayer is innocuous.

In the circumstances, I direct the respondent no. 2, District Education Officer, Chamoli to take decision on the appeal preferred by the petitioner dated 30.08.2005 within a period of two months from the date of production of a certified copy of this order.

With this direction, the writ petition is finally disposed of. All the pending applications stand disposed of.

(M.M. Ghildiyal, J.)

10.07.2007
VKS